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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/248,294	02/11/1999	HARLAN SEXTON	50277-179	8597

7590 06/09/2003

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EXAMINER

ZHEN, LI B

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 06/09/2003

15

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/248,294

Applicant(s)

SEXTON ET AL.

Examiner

Li B. Zhen

Art Unit

2126

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 27 May 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: 4,10,14,20,21 and 24.

Claim(s) rejected: 1-3,5-9,11-13,15-19,22,23,25 and 26.

Claim(s) withdrawn from consideration: _____.

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

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Continuation of 2. NOTE: Amended claim 25 will not be entered because it raises 112 second paragraph issues. Amended claim 25 refers to method claim 11. However, claim 11 is a product claim.

Continuation of 5. does NOT place the application in condition for allowance because: The applicant's arguments are not persuasive.

Applicant argues, "Lee does not disclose 'storing a reference within a first object to a second object in the memory as a numeric reference that encodes a location of the second object as an offset from an address of the first object in the memory' (p. 8, lines 18 - 20). The applicant appears to argue that the offset is not stored (p. 8, lines 13). The examiner respectfully disagrees because Lee stores the representation of the offset (difference of fields 205 and 206 in offspring pointer 204, Fig. 2) in fields 205 and 206, of the offspring pointer 204, Fig. 2.

The applicant argues, "combining Lee with Murray results in an inoperable system in which all destination pointers are tagged with the type of the source pointers" (p. 10, lines 2 - 3). However, the applicant stated that the combination of Lee and Murray would work with the addition of masking operation (p. 10, lines 4 - 9 of Applicant's response sent January 24, 2003). Although the combination of Lee and Murray may require additional operations such as masking, the claims do not preclude the use of masking operations.

Applicant argues, "it is unclear how belonging to the same page group has anything to do with having the same contiguity... 'When not defined by the applicant in the specification, the words of a claim must be given their plain meaning'" (p. 10, lines 16 - 19). There does not appear to be a detailed definition of contiguous in the specification as filed and according to Merriam-Webster's Collegiate Dictionary (tenth edition), contiguity means "the state of being next or near in time and sequence." Based on the definition above, the word contiguity is very broad; therefore, broadly interpreted two objects have the same contiguity if the two objects belong to the same page group because objects in the same page group are near or next to each other.

Sue Lao